



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/579,345	05/25/00	GILTON	T 6047-55230

EXAMINER

MM91/1220

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON LLP  
ONE WORLD TRADE CENTER 1600  
121 SW SALMON STREET  
PORTLAND OR 97204

ART UNIT	PAPER NUMBER
2814	

DATE MAILED:

12/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	<b>Application No.</b> 09/579,345	<b>Applicant(s)</b> GILTON ET AL.	
	<b>Examiner</b> Steven H. Rao	<b>Art Unit</b> 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 15 August 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 1-13, 16-19, 26-36 and 38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 14, 15, 20-25, 31 and 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- |   |  |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 20) <input type="checkbox"/> Other: _____                                    |

Art Unit: 2814

**DETAILED ACTION**

***Election/Restrictions***

This application contains claims directed to the following patentably distinct species of the claimed invention:.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, fig. 4, method one is generic and fig. 4 methods two and three and fig. 4 methods five, six are two different species to the method one. (fig. 4 does not currently identify a method 4).

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record

showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

During a telephone conversation with Lisa M. Caldwell @ (503) – 226-7391 on December 12, 2000 a provisional election was made without traverse to prosecute the invention of group I, claims 14,15,20-25, 31 and 37. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-13, 16-19, 26- 30 , 32-36 and 38 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14,15, 20-25,31 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman et al.( Patent No. WO 99/52654, herein after Bergman).

With respect to claim 14 , Bergman discloses a method of semiconductor wafer fabrication including the steps of :

Vaporizing a liquid solvent ( Bergman fig. 5, page 26 lines 14-15, water boiled) , selecting a reactant gas (page 26 line 12 , ozone) incorporating the reactant gas into the vaporized solvent ( page 26 lines 19-20), condensing the vaporized solvent to form a film that allows for the reactant gas to be transported through the film. ( claim 1 , page 29 lines 10-12).

With respect to claim 15 , Bergman discloses a method of semiconductor wafer fabrication including the steps of :

Flowing the reactant gas so that a part of the reactant gas is transported through the film, ( Bergman fig. 4 page 26 lines 10-15 and claim 60).

With respect to claim 20-25 , Bergman discloses a method of semiconductor wafer fabrication including the steps of :

Placing liquid layer over the surface of the wafer ( claim 1, it is inherent that upon condensation of the heated liquid a liquid layer will be placed on the surface of the wafer).

Flowing a wafer cleaning gas (claim 1) through the liquid layer to the wafer surface and reacting with the wafer to remove the photoresist ( claim 1 ).

With respect to claim 21 water(steam) is solvent for ozone(page 26, lines 19-20), the liquid layer is a thin film (see claim 20 above), the liquid is selected from water , perfluorocarbons and mixtures thereof . (page 26 , lines 19-20 Ozone, line 11-

Art Unit: 2814

water), cleaning gas is ozone ( page 26 line 19), and the liquid solvent is inert to the material on the wafer surface ( Water is inert to photoresist).

With respect to claims 31 and 37 , Bergman discloses a method of semiconductor wafer fabrication including the steps of :

Claim 31 repeats all the steps of claims 14 and 20. Claim 37 repeats the steps of claim 14 and further identifies the material to be removed by the ozone is photoresist ( page 10 line 1).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven H. Rao whose telephone number is 703-306-5945. The examiner can normally be reached on M-F, 8.00 to 5.00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 703- 306-2794. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703- 308-0956.

  
\*\*\*

December 13, 2000

  
OLIK CHAUDHURI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800